UNITED
NATIONS

E

Economic and Social Council

Distr.
GENERAL

E/1993/119
10 September 1993
ENGLISH
ORIGINAL: ARABIC, CHINESE, ENGLISH,
FRENCH, RUSSIAN, SPANISH

Resumed substantive session of 1993
14 and 15 September 1993
Agenda item 4

COORDINATION QUESTIONS

Relationship agreements between the United Nations and the specialized agencies: review and strengthening of sections pertaining to the common system of salaries, allowances and conditions of service

Note by the Secretary-General

The Secretary-General has the honour to transmit to the Economic and Social Council the report of the Joint Inspection Unit entitled "Relationship agreements between the United Nations and the specialized agencies: review and strengthening of sections pertaining to the common system of salaries, allowances and conditions of service" (JIU/REP/93/3).

RELATIONSHIP AGREEMENTS BETWEEN THE UNITED NATIONS AND THE SPECIALIZED AGENCIES: REVIEW AND STRENGTHENING OF SECTIONS PERTAINING TO THE COMMON SYSTEM OF SALARIES, ALLOWANCES AND CONDITIONS OF SERVICE

Prepared
by

Andrzej Abraszewski
Raúl Quijano

Geneva, June 1993

GE.93-01567

CONTENTS

		Paragraphs	Page
	Abbreviations		5
	Executive Summary	1 - 8	6
I.	RECOMMENDATIONS	9 - 16	8
II.	INTRODUCTION	17 - 22	10
III.	EVENTS WHICH LED TO THE ADOPTION OF GENERAL ASSEMBLY RESOLUTION 46/191 B OF 31 JULY 1992	23 - 29	11
IV.	OVERVIEW OF THE RELATIONSHIP AGREEMENTS	30 - 40	13
	A. Background	30 - 31	13
	B. Scope	32	13
	C. Negotiation and conclusion of the agreements	33 - 39	14
	D. Thrust	40	16
V.	REVIEW OF THE PROVISIONS PERTAINING TO THE COMMON SYSTEM	41 - 55	17
	A. Agreements concluded during the period 1946-1951	42 - 48	17
	B. Agreement with the International Atomic Energy Agency	49	18
	C. Agreements between the United Nations and the World Intellectual Property Organization; the United Nations and the International Fund for Agricultural Development; and the United Nations and the United Nations Industrial Development Organization	50	19
	D. General remarks	51 - 55	19

		Paragraphs	Page
VI.	ACCEPTANCE OF THE STATUTE OF THE INTERNATIONAL CIVIL SERVICE COMMISSION	56 - 61	21
VII.	MEASURES TO STRENGTHEN THE COMMON SYSTEM OF SALARIES, ALLOWANCES AND CONDITIONS OF SERVICE	62 - 64	23
	A. Two options for strengthening the common system	64	23
	B. Fuller implementation of measures contained in the relationship agreements	65 - 72	23
	C. Enhancing the role of the International Civil Service Commission	73 - 77	25
	D. Interpretation and understanding by legislative organs of the sections of the relationship agreements pertaining to the common system	78 - 80	26
	E. Conclusion of supplementary arrangements	81 - 82	26
	F. Coherent position of the Member States in different international organizations	83 - 87	27
	G. Involvement and leadership of inter-governmental organs responsible for coordination of the common system	88 - 89	28
	H. Partial or overall revision of the relationship agreements - pros and cons	90 - 94	28
VIII.	THE GOALS, OBJECTIVES AND BENEFITS OF COORDINATION WITHIN THE UNITED NATIONS SYSTEM IN GENERAL, AND OF THE COMMON SYSTEM OF SALARIES, ALLOWANCES AND AND CONDITIONS OF SERVICE IN PARTICULAR	95 - 104	31

ABBREVIATIONS

ACABQ	Advisory Committee on Administrative and Budgetary Questions
ACC	Administrative Committee on Coordination
CPC	Committee for Programme and Coordination
ECOSOC	United Nations Economic and Social Council
FAO	Food and Agriculture Organization of the United Nations
GATT	General Agreement on Tariffs and Trade
IAEA	International Atomic Energy Agency
IBRD	International Bank for Reconstruction and Development
ICAO	International Civil Aviation Organization
ICSC	International Civil Service Commission
IDA	International Development Association
IFAD	International Fund for Agricultural Development
IFC	International Finance Cooperation
ILO	International Labour Organisation
IMF	International Monetary Fund
IMO	International Maritime Organization
ITU	International Telecommunication Union
JIU	Joint Inspection Unit
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNIDO	United Nations Industrial Development Organization
UPU	Universal Postal Union
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMO	World Meteorological Organization

EXECUTIVE SUMMARY

1. The Joint Inspection Unit - acting within its statutory responsibilities to promote greater coordination within the United Nations family of organizations - undertook to prepare the present report pursuant to resolution 46/191 B of 31 July 1992 of the General Assembly, by which it requested the Economic and Social Council to review and, where appropriate, strengthen the applicable sections of the relationship agreements between the United Nations and member organizations of the United Nations common system, in particular Article VIII of the agreement between the United Nations and ITU, in order to enhance comparability and further adherence to the goals and objectives of the common system. In response to the above-mentioned Assembly resolution, the Council decided to initiate discussion of the agreements taking into account, inter-alia, a report to be submitted by the Joint Inspection Unit (Council decision 1993/211 of 12 February 1993).

2. Accordingly, the present report focuses specifically on those sections of the said agreements relating to personnel matters or to a unified international civil service.

3. The United Nations has concluded 17 relationship agreements with the specialized agencies and the International Atomic Energy Agency.

4. Agreements concluded between 1946 and 1951 are generally similar, with the exceptions that the relevant sections of the agreements with the International Telecommunication Union and the Universal Postal Union are couched in summary and general terms, while those with four Bretton Woods institutions stipulate their "full autonomy" in budgetary matters and thus set these institutions outside the common system of salaries, allowances and conditions of service.

5. Agreements concluded in subsequent years with the International Fund for Agricultural Development (1977), the World Intellectual Property Organization (1974) and the United Nations Industrial Development Organization (1985) appear more comprehensive and include specific provisions requiring acceptance of the statute of the International Civil Service Commission.

6. The relationship agreements appear more like declarations of political intent than binding legal instruments containing specific rights and obligations with respect to coordination matters. However, they have provided a useful and flexible framework for the development of inter-organizational relationships. The general formulation of the agreements has thus provided broad scope for evolving coordination practices within the common system which have, over the years, lent concrete significance to some of the provisions of the agreements.

7. None of the 17 agreements has ever been revised, although the possibility of such a revision has been raised by the Economic and Social Council. Due to the long lapse of time, the relationship agreements cannot reflect all the developments in the common system and elsewhere which took place after their conclusion. It would seem reasonable to conclude, nevertheless, that the articles of the agreements that have been applied relatively well over the years, despite some difficulties discussed in the report, are those relating to the common system of salaries, allowances and conditions of service.

8. The Inspectors believe that the progress thus accomplished in evolving a common system of salaries and conditions of service, thanks particularly to the work of the General Assembly's Fifth Committee advised by the International Civil Service Commission, should be further consolidated. To that end, the Inspectors propose a number of options in the recommendations that follow.

I. RECOMMENDATIONS

9. RECOMMENDATION I: Before determining its position on the future of the relationship agreements, including the sections pertaining to the common system of salaries, allowances and conditions of service, ECOSOC should have a complete and up-to-date evaluation of the implementation of all the agreements. The review of implementation of the relationship agreements was recognized by the Council itself as its ongoing task (see Council decision 1979/68 of 3 August 1979). The application of particular provisions contained in the agreements needs to be assessed, indicating areas where the agreements function properly, those areas where implementation is unsatisfactory and spelling out areas requiring revision or needing to be supplemented. This requirement applies equally to all parties to the agreements, namely the United Nations and the agencies. This is why, as in the past, the views of the specialized agencies and IAEA should be sought (paras. 66-69, 94).

10. RECOMMENDATION II: For the present, and pending any general decision on the future of relationship agreements, the strengthening of the common system of salaries, allowances and conditions of service could be sought by a variety of measures not involving revision. Ad hoc, partial revision of agreements, limited to provisions of personnel arrangements only, seems to be impractical and is not recommended at present. Should a policy decision be taken by the parties concerned on the future of the relationship agreements, the Inspectors stand ready to provide further advice on the specifics of updating the agreements. At this stage, the strengthening of the common system should be sought through fuller, more active and specific application of existing coordination measures contained in the relationship agreements, e.g., the General Assembly and ECOSOC addressing recommendations to the agencies, requests for assistance, participation by the United Nations and the agencies in the debates of main and subsidiary bodies, reciprocal inscription of items on the agendas of the governing bodies, etc, (paras. 65-72, 90).

11. RECOMMENDATION III: Consideration should be given to the practical ways and means of further enhancing the role of ICSC in the regulation and co-ordination of conditions of service within the United Nations common system. In this connection, the Commission could play an extended role through greater exposure to the organizations, participation in their meetings and extensive consultations with the administrations and staff. The Commission could additionally be enabled, for example, to play a preventive, "early warning" role by anticipating, promptly addressing and reporting to the General Assembly on potential problem areas (paras. 28-29, 61, 73-77).

12. RECOMMENDATION IV: The practice of formulating agreed interpretations and understandings of relevant provisions of the relationship agreements by ECOSOC, the General Assembly and the governing bodies of the agencies should be used more frequently to strengthen, as and when necessary, existing relationships and to find solutions to new questions of inter-organizational cooperation, including matters of personnel. After appropriate consultations through the ACC machinery and intergovernmental bodies of the agencies concerned, such interpretations and understandings could be submitted for approval to the General Assembly and the governing bodies of the agencies (paras. 78-80).

13. RECOMMENDATION V: The possibility of supplementary arrangements being concluded by executive heads to regularize modalities of practical cooperation, inter alia, those pertaining to the common system, could be used more actively. ECOSOC and the General Assembly could request the executive heads throughout the United Nations system to give due consideration to the application of this coordination measure. One possible area of application being the provision by the specialized agencies of personnel and other forms of assistance for United Nations peace-keeping operations, naturally observing the existing programming and budgetary procedures of the agencies and to the extent allowed by available resources (paras. 81-82).

14. RECOMMENDATION VI: The General Assembly and ECOSOC should draw the attention of Member States more often to the fact that an indispensable condition for strengthening coordination within the United Nations family of organizations in general, and for adherence to existing standards and regulations of the common system of salaries and conditions of service in particular, is the maintaining of a coherent position in the same matters in different organizations. In addressing its recommendations on coordination, pursuant to Article 63, point 2, of the Charter of the United Nations, the Council should appeal to Member States to contribute to the implementation of its recommendations through appropriate actions in the governing bodies of the common system (paras. 83-87).

15. RECOMMENDATION VII: The current revitalization of the global leadership role of ECOSOC in system-wide coordination of policies and activities in the economic, social and related fields, coupled with a more systematic monitoring of implementation of the relationship agreements, should also indirectly strengthen the common system of salaries and conditions of service. To achieve this end, substantially more preparatory background work by the Council's relevant subsidiary bodies and secretariat would seem indispensable. Two options are proposed:

(a) The Council could entrust to CPC the task of formulating draft resolutions and decisions on coordination questions.

(b) The Council could create an inter-sessional committee on coordination matters.

The first option may require redesigning the agenda of CPC to accommodate its expanded functions, or the extension of its session. The advantage of the second option is that it can be more economical (meetings of the Inter-sessional Committee accommodated at such times so as to use spare conference services) (paras. 70, 88-89, 102-103).

16. RECOMMENDATION VIII: It is recommended to devote periodic CPC-ACC Joint Meetings, as well as a portion of the High-Level Segment of the Economic and Social Council sessions, to system-wide coordination, in order to arrive at a common perception of coordination by Member States and the Secretariats (that have shared responsibilities for this), and of a common understanding of the resources needed to make the most efficient use of the institutional and human potential of the United Nations system of organizations (paras. 88, 104).

II. INTRODUCTION

17. In paragraph 11 of its resolution 46/191 B of 31 July 1992, the General Assembly of the United Nations called upon the Economic and Social Council "....to review and, where appropriate, strengthen the applicable sections of the relationship agreements between the United Nations and member organizations of the common system, in particular article VIII of the Agreement between the United Nations and the International Telecommunication Union, in order to enhance comparability and further adherence to the goals and objectives of the common system".

18. At its organizational session in February 1993, the Economic and Social Council in its decision 1993/211 of 12 February 1993 decided "....to initiate, at its substantive session of 1993, under the item entitled 'Coordination questions', a discussion of the relationship agreements between the United Nations and member organizations of the United Nations common system".

19. The Joint Inspection Unit, acting within Article 5, paragraph 2, of its statute, which defines its responsibility to promote greater coordination between organizations of the United Nations system, undertook to contribute to the achievement of the objectives indicated in the above-mentioned General Assembly resolution.

20. The Unit's offer was accepted by ECOSOC, which stated that, for the discussion of the relationship agreements, the Council, inter-alia, will take into account a report to be submitted by the Joint Inspection Unit.

21. In addition to the Unit's report, the Council also requested a background document to be prepared by the Secretary-General and a progress report by ICSC on the implementation of Section II.E [special occupational rates] of General Assembly resolution 47/216 of 23 December 1992.

22. To meet the requirements of internal coordination amongst the units contributing to the ECOSOC discussion, the authors of this report consulted with the two other institutions. The Inspectors informed ACC of the orientation and objectives of their report. They also submitted the draft report to the participating agencies for comments; one of the authors appeared before the CCAQ (PER) on 16 July 1993 to discuss the scope and recommendations of the report. The authors would like to express their appreciation for all advice and comments received, which were most useful and which were considered with utmost attention.

III. EVENTS WHICH LED TO THE ADOPTION OF GENERAL ASSEMBLY RESOLUTION 46/191 B OF 31 JULY 1991[1/]

23. In 1989, the Plenipotentiary Conference of the International Telecommunication Union established a High-level Committee composed of representatives of 21 member States of ITU to consider basic changes in the functioning of that Organization. In 1991, ITU's Secretary-General informed the Administrative Council that staff in the professional and higher (D) categories would be involved in the implementation of the recommendations of the High-Level Committee and that he intended to give a Special Post Allowance (SPA) to the staff in those categories who would effectively contribute to the said implementation as a recognition of the additional work accomplished.

24. In the opinion of ITU, expressed at the ICSC meeting, its decision on SPAs was not incompatible with the common system of salaries and allowances. "Common system" did not mean "an identical system".

25. The question of SPAs was discussed in the Fifth Committee of the General Assembly at its resumed forty-fifth session in June/July 1991. In its resolution 45/268 of 29 July 1991, the General Assembly, inter-alia, expressed concern about the potential impact of ITU's unilateral action on the United Nations common system as a whole. In its resolutions 46/191 of 20 December 1991 and 46/191 B of 31 July 1992, the Assembly deplored the decision of ITU to grant SPAs as being incompatible with the concept of the common system and requested ICSC:

(a) To assess the impact on the common system of resolution No. R. 1024 of the ITU Administrative Council on the payment of SPAs;

(b) to propose recommendations to enhance respect for and adherence, by all governing bodies, to the common system of salaries, allowances and conditions of service.

26. By its resolution R. 1024 of 8 July 1991, the ITU Administrative Council accepted the position of the General Assembly that payment of SPA was incompatible with the common system and that any further application of article 3.8(b) of ITU's Staff Regulations and Rules (which were invoked as the legal basis for granting the SPAs) must be in strict conformity with the wording of the said article and fully in line with the common system and views of the General Assembly on this matter.

27. From discussions with the Secretary-General and other officials of ITU, as well as with the Chairman and Vice-Chairman of ICSC, the Inspectors have concluded that the dispute over SPAs is over and that ITU has made a genuine effort to comply with the common system. The latest testimony of this was a meeting of the ITU Working Group in May 1993. The Secretary-General of ITU has expressed to the Inspectors the strong commitment of ITU to the common system and the relevant sections of the relationship agreement concluded with the United Nations. The Secretary-General of ITU did observe, however, that the common system would only gain in strength if it operated with sufficient flexibility to accommodate the special needs of some of its

---

1/See A/46/30. paras. 33-45, A/47/30, paras. 31-45.

constituents, such as ITU and other similarly small agencies working in a highly competitive technological environment. Like other members of ACC, ITU did not see the pressing need to review the relationship agreements, but rather to improve the operational practicality of the common system in such a way that it can cater for the differing sectoral and occupational requirements of its members.

28. As regards the measures to strengthen the common system, the ICSC expressed the view that "the most effective measure" would be the participation of the Commission at the meetings of the governing bodies of all organizations of the common system, when proposals pertaining to salaries, allowances and conditions of service were discussed. To this effect the ICSC recommended that the General Assembly should make it mandatory for all organizations to invite the Commission to be represented at meetings where proposals pertaining to salaries, allowances, benefits and other conditions of employment were discussed.

29. Accordingly, the General Assembly, in its resolution 47/216 of 23 December 1992, part I, paragraph 4, urged the governing bodies and the executive heads of all organizations to ensure that the Commission is invited in its own right to be represented at meetings where proposals pertaining to salaries, allowances, benefits and other conditions of employment are to be discussed. Furthermore, the Assembly, in its resolution 46/191 B of 30 July 1992 has very rightly stressed the importance of the relationship agreements for the preservation of the common system.

IV. OVERVIEW OF THE RELATIONSHIP AGREEMENTS

A. Background

30. The specialized agencies of the United Nations were constituted in accordance with their respective instruments to be legally autonomous within a deliberately decentralized United Nations system. At the same time, the founding fathers of the United Nations and of the agencies never lost sight of the fundamental need for optimal coordination and cohesion of this decentralized system in order to attain the lofty goals of the Charter of the United Nations. Accordingly, discussion of the ways and means of establishing linkages between the United Nations and the specialized agencies already in existence or still to be established was one of the major items on the agenda of the San Francisco Conference of 1945, which adopted the Charter.

31. The two key Articles of the Charter having a direct bearing on relationship agreements, are the following:

ARTICLE 57

1. The various specialized agencies, established by inter-governmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

ARTICLE 63

1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

2. It may co-ordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

B. Scope

32. The first session of ECOSOC, in January-February 1946, discussed the task of negotiating agreements with the specialized agencies in accordance with Article 63 of the Charter. The discussion of items to be included in each agreement revealed two contrasting views between the Member States in favour of moulding "the whole complex of agencies, and of the commissions of the Council, into a closely-integrated mechanism operating under the direct policy guidance of the Council" (see E/1317, p. 6), on the one hand, and those Member States who cautioned against

centralization, on the other. A compromise between these two positions led to the adoption of the following standard items to be included in each agreement:

(a) Reciprocal representation.
(b) Proposal of agenda items.
(c) Recommendations of the General Assembly and of the Council.
(d) Exchange of information and documents.
(e) Assistance to the Security Council.
(f) Assistance to the Trusteeship Council.
(g) Non-Self-Governing Territories.
(h) Relations with the International Court of Justice.
(i) Headquarters and regional offices.
(j) Personnel arrangements.
(k) Statistical services.
(l) Administrative and technical services.
(m) Budgetary and financial arrangements.
(n) Financing of special services.
(o) Inter-agency agreements.
(p) Liaison.
(q) Implementation of the agreement.
(r) Revision.
(s) Entry into force.

C. Negotiation and conclusion of the agreements

33. Pursuant to articles 57 and 63 of the Charter, the United Nations has concluded 17 relationship agreements with the specialized agencies and the International Atomic Energy Agency (IAEA).[2/] IAEA, which is not a specialized agency, concluded an agreement with the United Nations that is similar to other agreements. Only GATT has thus far not concluded a formal agreement with the United Nations. The relationship between the two organizations has evolved pragmatically through GATT's voluntary adherence to agreed system-wide standards and practices.

2/ Their list is presented chronologically, following the dates of signature, in brackets dates of entry into force: (1) ILO - 30 May 1946 (14 December 1946); (2) UNESCO - 4 June 1946 (14 December 1946); (3) FAO - 10 June 1946 (14 December 1946); (4) ICAO - 30 September 1946 (14 December 1946); (5) IBRD - 15 August 1947 (15 November 1947); (6) IMF - 15 August 1947 (15 November 1947); (7) UPU - 4 July 1947 (1 July 1948); (8) WHO - 8 August 1947 (10 July 1948); (9) ITU - 14 August 1947 (1 January 1949); (10) IMCO - 12 August 1948 (13 January 1949); (11) WMO - 5 April 1951 (20 December 1951); (12) IFC (concluded on its behalf by IBRD)-17 December 1956 (12 February 1957); (13) IDA - 21 December 1960 (27 March 1961); (14) WIPO - 27 September 1974 (17 December 1974); (15) IFAD - 15 December 1977 (15 December 1977); (16) UNIDO - 17 December 1985 (17 December 1985); (17) IAEA - 24 June 1957 (14 December 1957). A similar agreement was concluded in 1948 between the United Nations and the International Refugee Organization (IRO). This agreement ceased to exist with the dissolution of IRO.

34. The relationship agreements were concluded following negotiations between the United Nations and each individual agency. ECOSOC established a Negotiating Committee which negotiated with delegations appointed by the agencies; for example in the case of ILO by its Governing Body. The agreement with ILO was the very first to be negotiated and signed. It set standards and became a model for subsequent agreements.3/

35. Agreements with IFC and IDA stipulate that their relationships are governed by the agreement between IBRD and the United Nations, notwithstanding small changes. The relationship agreement with IFC was concluded by IBRD. With respect to IAEA, the General Assembly empowered its Advisory Committee for the Peaceful Use of Atomic Energy to negotiate with the Preparatory Commission of IAEA.

36. After the negotiation process was completed, draft agreements - duly signed or initialled by chairmen of both delegations - were submitted to ECOSOC and relevant intergovernmental organs of the agencies, which recommended their approval. The relationship agreements entered into force from the date of approval by the General Assembly and the main legislative organs of the agencies. All of the agreements contain provisions for their revision or amendment. The agreements were registered with the United Nations Secretariat which published them in accordance with Article 102 of the Charter of the United Nations.

37. It can be observed that the procedure used to conclude the relationship agreements followed the traditional and protracted treaty-making practices. Accordingly, any eventual revision or amendment of the agreements may have to follow the same procedures which require a good deal of time and preparatory work.

38. None of the relationship agreements has ever been revised or amended, although their review or revision has been discussed since the 1970s in ECOSOC (see para. 93 below).

39. Operative parts of the relationship agreements contain two categories of provisions:

(a) Non-reciprocity: on the one hand the United Nations recognizes the statutory competence of each specialized agency, on the other it establishes unilateral rights, such as the competence to address recommendations to the agencies, make requests for reports, services and assistance.

(b) Reciprocal duties and obligations of the United Nations and the specialized agencies: for example, participation in debates of various organs, proposals for consideration of agenda items, exchange of documents and information, setting up of joint facilities, cooperation in personnel, budgetary, financial and administrative matters.

3/ In oral statements by persons familiar with the process of drafting the relationship agreements the personal role of Mr. W. Jenks, the then Legal Counsel of ILO, has been stressed. It was Mr. Jenks who skilfully drafted the agreement with ILO in such a way that it contains many declarations of intention to achieve a high level of inter-organizational cooperation and coordination of activities of the United Nations system.

D. Thrust

40. Although the present report is specifically concerned only with that provision of the agreements relating to personnel questions and the common system of salaries, allowances and conditions of service, it should be observed that the standard elements discussed and adopted by the Council at its first session in 1946 to form the main content of each agreement, were indeed meant to function as an integrated system of relationships between the United Nations and the specialized agencies, irrespective of their sectors of competence. The articles of agreement are, therefore, to be considered complementary and mutually reinforcing. Exceptions to any of the article(s) could, therefore, have implications for coordination and cooperation in other areas covered by the agreements, while effective implementation of the agreements in their entirety would reinforce such coordination and cooperation under each specific article, especially in personnel matters.

V. REVIEW OF THE PROVISIONS PERTAINING TO THE COMMON SYSTEM

41. Three groups of relationship agreements can be distinguished if we take as a yardstick the dates of their conclusion:

(a) Those concluded in the years from 1946 to 1951: ILO, FAO, UNESCO, ICAO, WHO, IBRD, IMF, UPU, ITU, WMO, IMO, and agreements with IFC and IDA.

(b) Agreement with IAEA concluded in 1957.

(c) Agreements concluded with WIPO in 1974, IFAD in 1977 and UNIDO in 1985.

A. Agreements concluded during the period 1946-1951

42. Six agreements (ILO, FAO, UNESCO, ICAO, WHO, IMO) recognize the desirability of "the eventual development of a single unified international civil service". The standard article in most of the agreements stipulates that the United Nations and a given specialized agency "agree to develop (as far as practicable - WHO) common personnel standards, methods and arrangements designed to avoid serious discrepancies (unjustifiable differences - ICAO)" in terms and conditions of employment, to avoid competition in recruitment of personnel and to facilitate interchange of personnel in order to obtain the maximum benefit from their services (see E/1317, p. 34).

43. To achieve these goals, the United Nations and the above-mentioned six agencies, plus WMO, mutually undertake to consult together from time to time in matters relating to the employment of staff, and in particular to the establishment of an International Civil Service Commission (or International Civil Service Advisory Board in the agreements with WMO and IMO). The parties to the agreements agree to cooperate in the interchange of personnel, pension matters and in the establishment of machinery for the settlement of disputes arising out of employment of personnel.

44. There are two subgroups of agreements (the first concerning the Bretton Woods institutions; and the second ITU and UPU) whose provisions relating to personnel matters are more limited than the rest of the agreements. For example, the World Bank and IMF agreements state that parties to them "will consult from time to time concerning personnel and other administrative matters of mutual interest, with a view to securing such uniformity in these matters as they shall find practicable and to ensure the most efficient use of the services and facilities of the two organizations".

45. One important element that sets the agreements with the Bretton Woods institutions apart from the common system is the provision that the United Nations recognizes that the World Bank and IMF do not rely for their annual budgets upon contributions from their members, and that they enjoy "full autonomy" in deciding the form and content of such budgets.

46. Provisions of the agreements with ITU (Article VIII) and UPU (Article VII) are in summary form only. They do not mention the International Civil Service Commission and describe cooperation in personnel matters in general terms. In the ITU agreement, the Union agreed to cooperate in developing, as far as practicable, common personnel standards, methods and

arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel and to facilitate interchange of personnel. The UPU agreement merely states that the Union agrees to cooperate with the United Nations as necessary to ensure as much uniformity as possible in conditions of employment and to avoid competition in recruitment.

47. It may be recalled that when the Negotiating Committee met with the ITU delegation in August 1947, two draft agreements were considered: one prepared by the United Nations Secretariat (which followed the standard already applied in the agreement with ILO and other agencies), and a second draft already adopted by ITU's Plenipotentiary Conference which was then in session in Atlantic City. It was found that, in several respects, the ITU draft departed widely from the general wording which the Negotiating Committee had endeavoured to maintain in earlier agreements (see E/1317, p.17). During the negotiations, articles on personnel matters were agreed only in summary form. The ITU delegation (representing its Plenipotentiary Conference) drew attention to the fact that a number of ITU member States were not Members of the United Nations and that this fact be kept in mind throughout the negotiation process (see E/1317, p.17). When ECOSOC accepted the draft agreement with ITU, it took note of the special circumstances which made it impossible, for the time being, to reach an agreement with the Union which conformed more closely to other agreements and, cautioned that it should not be regarded as a precedent for future agreements (see ECOSOC resolution 90/V of 17 August 1947).

48. In recapitulation, the parties to all the agreements confirmed the need for coordination, declared their intention to cooperate on personnel matters and merely undertook to consult "from time to time" on such matters. Such consultations were to establish the scope and content of attainable effective cooperation. The majority of the agreements determine the subjects of consultation and cooperation among the organizations only in general terms, although some of them (WHO, IBRD, IMF, ITU, WMO, IMO) deal with specific matters such as the right to use the United Nations laissez-passer. A further seven organizations of the United Nations system are given the same right through supplementary agreements.

B. Agreement with the International Atomic Energy Agency

49. The relationship agreement with the International Atomic Energy Agency, concluded in 1957, reflects in a way the 10 years of experience gained since the creation of the United Nations system. However, in matters of personnel this agreement follows the standard pattern of previously concluded acts. In substance, it limits itself to the declaration of intent to cooperate in a number of areas concerning personnel, e.g., terms and conditions of employment, interchange of personnel, operation of a common pension fund, establishment and operation of a machinery for the settlement of disputes in matters of employment. A new provision contained in the agreement with IAEA establishes the mutual use of services and facilities of both organizations, the modalities of which would be the subject of subsidiary agreements.

C. Agreements between the United Nations and the World Intellectual Property Organization; the United Nations and the International Fund for Agricultural Development; and the United Nations and the United Nations Industrial Development Organization

50. A general comment on the three relationship agreements with WIPO, IFAD and UNIDO, concluded in the 1970s and 1980s, is that the legal obligations contained therein are not significantly stronger than those presented in previously concluded agreements, but new areas of collaboration are included, such as in technical assistance. They contain a declaration of intent to cooperate in a number of personnel issues and an agreement to consult together from time to time. The agreement with UNIDO requires the latter to accept the ICSC's statute and that of the JIU. The agreement also protects the rights and contractual status acquired by UNIDO staff when they were United Nations staff prior to 1985 when UNIDO became a specialized agency. In the agreement with IFAD, the Fund agrees to cooperate with the ICSC "on matters concerning the regulation and coordination of the conditions of service of the staff". This formula does not explicitly state the acceptance of ICSC's statute, but IFAD is viewed as part of the common system and, thus, as accepting the regulatory functions of the Commission.

D. General remarks

51. All of the efforts employed by the United Nations to achieve a large degree of homogeneity and similarity between the relationship agreements did not materialize with regard to personnel matters. The substantial differences in content of the various agreements testify to this.

52. In addition to a declaration of intent to cooperate in a number of personnel issues, the legal value and obligations vis-à-vis personnel arrangements are reduced to the obligation to consult together on these issues. The noncommittal character of the reviewed sections of the agreements creates an impression that they resemble a political declaration rather than a legal instrument. However, they have provided a useful and flexible framework for the development of inter-organizational relationships. From the beginning, such general formulation of the agreements gave a key role to the practice, in terms of decisions and resolutions of intergovernmental bodies, which determines the real meaning of the agreements' provisions.

53. Due to the long lapse of time in most cases, the relationship agreements cannot reflect all the developments in the common system and elsewhere which took place after their conclusion. There is no evidence, however, that the agreements constituted an obstacle to the development of inter-organizational relations including, in particular, the common system of salaries, allowances and conditions of service.

54. The concept of a single, unified international civil service was very much on the minds of the founding fathers of the United Nations system of organizations and was reflected in the agreements concluded in the first years of its existence. On the basis of later experience, this concept was approached with more prudence.

55. Attention is drawn to the caution with which the provisions for cooperation in matters of personnel are formulated, despite the obvious fact that close cooperation in these matters would have a positive impact on the overall coordination of activities of the United Nations system.

During the negotiation of the relationship agreements, the parties to them were aware of the difficulties which cooperation in matters of personnel would create. From the legal point of view, these provisions are typical examples (of these parts of the agreements) whereby the powers of the United Nations to influence the specialized agencies for the purpose of coordination appear somewhat limited.

VI. ACCEPTANCE OF THE STATUTE OF THE INTERNATIONAL CIVIL SERVICE COMMISSION

56. One of the most important developments subsequent to the conclusion of the relationship agreements was the creation of the International Civil Service Commission (see General Assembly resolution 3357 (XXIX) of 18 December 1974) "for the regulation and coordination of the conditions of service of the United Nations common system" (see Article 1 of its statute). The ICSC continues the work begun by its predecessor, the International Civil Service Advisory Board.

57. Article 9 of the Commission's statute establishes a clear link between it and the relationship agreements by stating that, "in the exercise of its functions, the Commission shall be guided by the principle set out in the agreements which aims at the development of a single unified international civil service through the application of common personnel standards, methods and arrangements".

58. To attain these goals, the functions and powers of the Commission are broad, covering all aspects of personnel matters without exception (Articles 10 to 16 of its statute). In particular, the Commission makes recommendations to the General Assembly on: conditions of service, salary scales and post adjustment, allowances and benefits and staff assessments. The Commission's regulatory functions include the establishment of job classification standards, classification of duty stations and rates of allowances and benefits, as well as travel standards.

59. The ICSC's responsibilities also include the formulation of recommendations to the organizations of the common system on: standards and sources of recruitment, establishment of rosters of candidates, competitive examinations, career development, training, evaluation of staff and development of common staff regulations. Article 16 provides that "the Commission may, after appropriate consultations, make such recommendations to the organizations on other matters as it may consider necessary to achieve the purposes of the present statute".

60. The statute of ICSC has been accepted by 11 specialized agencies (ILO, FAO, UNESCO, ICAO, WHO, UPU, ITU, WMO, IMO, WIPO, UNIDO) and IAEA.[4/] The statute has not been formally accepted by GATT and IFAD, although they participate in the common system on a de-facto basis. Four Bretton Woods institutions (IBRD, IMF, IFC and IDA) are not covered by ICSC's statute as they are not participants in the common system of salaries, allowances and conditions of service.

4/ The Commission's statute has been accepted by the legislative organs of the agencies and notified in writing to the Secretary-General of the United Nations. The following list indicates dates of acceptance of the ICSC statute: ILO - 16 April 1975; FAO - 20 March 1975; UNESCO - 17 June 1975; ICAO - 2 December 1975; WHO - 4 July 1975; IMO - 13 June 1975; UPU - 21 May 1975; ITU - 16 June 1975; WMO - 16 June 1975; WIPO - 6 October 1975; UNIDO - 1 January 1986; IAEA - 6 July 1979.

61. Acceptance of the Commission's statute is of key importance to the existence and operation of the common system. It is a sufficient and necessary condition for participation in the common system of salaries and conditions of service. ICSC's statute defines the objectives of the common system in more precise and clearer terms, and its powers and responsibilities are commensurate with its important functions. In the considered opinion of the Inspectors, the Commission is a very important instrument in the further development of the common system. as well as in detecting and correcting any real or potential breaches of the common system. This is why it seems justifiable to assess the common system on the basis of the implementation of both the relationship agreements and the Commission's statute.

VII. MEASURES TO STRENGTHEN THE COMMON SYSTEM OF SALARIES, ALLOWANCES AND CONDITIONS OF SERVICE

62. In the light of the review of the parts of the relationship agreements related to the common system, some general observations can be made which the Inspectors believe are of interest and relevance to the forthcoming discussion of the agreements by ECOSOC and to the possible consideration of these matters by the General Assembly.

63. The first question concerns measures that should be taken to avoid any recurrence of situations which could undermine the common system of salaries, allowances and conditions of service, and how to enhance system-wide comparability and further adherence to the goals and objectives of the common system in general. Secondly, how can overall system-wide coordination be enhanced; both as regards the broad areas of personnel, administration, budget and finance, and substantive coordination. In addition, how can coordination in broad terms be employed to help strengthen the common system of salaries, allowances and conditions of service.

A. Two options for strengthening the common system

64. Two main options for strengthening the common system can be proposed: first, measures not requiring the revision of relationship agreements; and secondly, those requiring such a revision. The Inspectors assess the strengths and constraints of these options, leaving it to the governing bodies to decide which option to follow. In this connection, the Inspectors' position, which is substantiated later in the report, is that a number of other measures which may prove to be efficacious and necessary need to be explored before any attempt is made to consider revising the relationship agreements.

B. Fuller implementation of measures contained in the relationship agreements

65. It is the considered opinion of some practitioners and experts writing on matters of coordination[5/] that much more needs to be done to secure fuller and more active implementation of the provisions of the relationship agreements in general. Through such implementation, many problems of inter-organizational relations can be resolved in a pragmatic and non-controversial way. Both the General Assembly and ECOSOC had devoted considerable attention to this requirement in the early years of the United Nations, than during the process of restructuring of the economic and social sectors of the world body in the 1970s, and currently as part of ongoing efforts to revitalize ECOSOC.

66. The Inspectors believe that it is necessary to have a full and comprehensive evaluation of the implementation - article by article - of the relationship agreements by the parties to them. Such evaluation would enable ECOSOC to take an informed decision as to whether implementation of the agreements is fully responsive to the existing and emerging requirements of coordination, and in which areas more efforts should be made.

5/ See for example, Martin Hill, "The United Nations system: coordinating its economic and social work", Cambridge University Press, 1978, p. 121.

67. The Inspectors recall General Assembly resolution 32/197 of 20 December 1977, in which the Assembly endorsed the conclusions and recommendations of the Ad Hoc Committee on the Restructuring of the Economic and Social Sectors of the United Nations System contained in the annex to that resolution, of which section VII, paragraph 57, stated the following:

> "57. The review by the Economic and Social Council of the relationship agreements between the United Nations and the specialized agencies should be guided, inter alia, by the need to ensure that the agencies give full and prompt effect in accordance with the Charter of the United Nations and within the scope of their respective basic instruments to the recommendations made by the General Assembly and the Council for the coordination of their policies and activities."

68. In response to this resolution, ECOSOC adopted decision 1979/68 entitled "Implementation of the agreements governing the relationships between the United Nations and the specialized agencies and the International Atomic Energy Agency", which reads as follows:

> "At its 40th plenary meeting, on 3 August 1979, the Council decided to keep under review the implementation of the relationship agreements between the United Nations and the specialized agencies and the International Atomic Energy Agency, in accordance with the terms of paragraph 57 of the annex to General Assembly resolution 32/197 of 20 December 1977 and of section I, paragraph 2, of Assembly resolution 33/202 of 29 January 1979, with a view to determining how the application of those agreements can best contribute to the achievement of the aims set forth in resolution 32/197, in particular those expressed in paragraphs 32 and 33 and the relevant paragraphs of sections VI and VII of the annex to that resolution."

69. The Inspectors believe that the continued monitoring of the implementation of the relationship agreements is the right way to proceed. They recommend that the Council entrust CPC as well as ACABQ, in their respective spheres of competence, to devise procedures for monitoring implementation of those provisions of the relationship agreements not covered by the ICSC statute. The Inspectors would like to stress the same rights for the agencies - parties to the relationship agreements - to take a stand on their implementation. Accordingly, they would like inter-alia to encourage the participation of the agencies and the use of their experience in the development of the procedures for monitoring the implementation of the provisions of the agreements.

70. The Inspectors are of the opinion that the power of the Council to address recommendations to the specialized agencies, the General Assembly and Member States which, among other things, apply to matters relating to the common system, could be used more often, be more specific and profit more from the advice of competent subsidiary bodies such as ACABQ, CPC, ICSC and JIU.

71. A number of other measures contained in the relationship agreements could be more actively used for strengthening the common system. The instruments of reciprocal representation and liaison need to be used more actively and meaningfully. A step in this direction is the participation of ICSC at the sessions of the relevant organs of the agencies when matters of the common system are discussed (see paras. 28-29, 74).

72. The reciprocal participation of United Nations and representatives of agencies in the subsidiary organs, especially when matters of coordination are discussed, could be made more systematic.

C. Enhancing the role of the International Civil Service Commission

73. One of the measures which, in principle, does not require substantial legislative changes involves a number of practical steps for strengthening the position of ICSC as the main advisory body of the General Assembly on matters of the common system and with an appropriate mandate. This measure seems to have already found favour with the Assembly which, in its resolution 47/216, Part I, of 23 December 1992, "reaffirmed the central role of the General Assembly with regard to the elaboration of the conditions of service for the United Nations common system as a whole and that of the International Civil Service Commission as the independent technical body responsible to the Assembly for the regulation and coordination of those conditions of service of the common system".

74. This is why the Inspectors support wider exposure and participation of ICSC in its own right in those sessions of intergovernmental bodies, where matters of salaries, personnel policies and practices are discussed. It is recognized that it would be left to the discretion of the legislative bodies of the agencies to respond to the request of the General Assembly resolution and establish the scope and modalities of such a participation. Taking into account the current financial constraints of the agencies, it is important that such expanded participation by ICSC should not lead to increased financial burden on the participating agencies.

75. A larger role for ICSC should be accompanied by the requirement that the Commission itself becomes even more responsive to emerging needs. Thus, the Commission could give more attention to the task of prevention and should develop an "early warning" capability with respect to potential difficulties in the common system in general, and the special problems of some agencies in their competition for the best talents in the job market.

76. The Commission itself could also display more initiative and function as a "watchdog", in addition to responding to the requests of the General Assembly and other bodies. The Commission could, on its own initiative, contribute to the ongoing discussion of various personnel proposals, such as the creation of a D-3 category, and provide an early expert opinion on their system-wide implications.

77. The prevailing view among various authors writing on the common system is that the concept of a single, unified international civil service is still a distant goal - not a reality. At the same time, however, and thanks to the efforts of ICSC, the General Assembly and legislative organs of the specialized agencies, a uniform policy exists in matters of recruitment standards, salaries, conditions of service and compensations for the United Nations system of organizations. Indeed, the common system of salaries, allowances and conditions of service, despite various difficulties, is the one area where coordination is, relatively speaking, assured.

D. Interpretation and understanding by legislative organs of the sections of the relationship agreements pertaining to the common system

78. A viable and practical alternative to the formal revision of the agreements, in order to address the need to introduce substantial changes into existing relationships and practices of the common system, would be the formulation of understandings and interpretations by ECOSOC and the General Assembly, after due consultation with the specialized agencies through ACC and the governing bodies concerned. The same initiative and involvement in agreeing to the interpretations of the provisions of the agreements is required on the part of the governing bodies of the agencies.

79. ECOSOC and the General Assembly could be assisted by their subsidiary bodies (ACABQ, CPC and ICSC) which are properly equipped to formulate drafts of such understandings and interpretations in their respective areas of competence. These understandings would finally be submitted to the Assembly and the governing bodies of the agencies for approval.

80. A similar view has been advocated for some years by Mr. Martin Hill, expert and practitioner of coordination, who wrote: "So much could be done and more easily by simple decisions supported and pressed for by Member States in the General Assembly and in ECOSOC and in the organs of the agencies themselves".6/

E. Conclusion of supplementary arrangements

81. As has been indicated earlier, all the relationship agreements provide possibilities to conclude supplementary arrangements for the implementation of the main agreements, as may be found desirable. As a rule, the executive heads are empowered to enter into such supplementary arrangements. The provision to enter into supplementary arrangements seems to have unrealized potential which should be used to implement any eventual decision or resolution of the legislative bodies giving an agreed interpretation and practical application of general formulas of the relationship agreements.

82. In the area of personnel arrangements one possible practical application could be to require the agencies to ascertain the possibilities of increasing the on-going practice of providing staff and other forms of assistance to the dramatically expanding peace-keeping operations of the United Nations, understandably taking into account each agency's programme and budgetary procedures, as well as the level of resources available. These peace-keeping operations - some of them of a very large scale - are in need of many civilian personnel of various professions which the United Nations has growing difficulties to provide.7/ Supplementary arrangements could strengthen collaboration in this increasingly vital area.

6/ Ibid., p. 122.

7/ The Joint Inspection Unit is currently preparing a report on this subject entitled "Review of the staffing of the United Nations peace-keeping and related missions (civilian component)", conducted by Inspectors F. Bouayad-Agha, B. Krasulin and K.Othman.

F. Coherent positions of the Member States in different international organizations

83. A consistent position by each Member State in different international organizations can also be an important element for strengthening the common system. As early as 1947, the General Assembly stressed the importance of Member States taking coherent positions in different organizations (see resolution 125/II of 20 November 1947). Over the years, the need to present internally coordinated positions of countries - represented in various international organizations by different branches of government - acquired a new meaning and importance due to the increased universality of the membership of United Nations system organizations and the profound political changes, such as the end of the cold war, which gave the international organizations more scope for cooperation free from political rivalry.

84. In the years when the cold war and East-West divisions paralysed the United Nations, there might have been legitimate concern to protect useful cooperation within the framework of the technically-oriented specialized agencies from the politics of the world organization. Often, the intention was to limit the possibilities of the United Nations to influence the agencies. Due to the dramatic changes in world politics, there is no longer any need to shield the advanced level of cooperation in many technical domains from the perceived "politicization" of the United Nations as was previously feared. Also the question of differences in membership over the years lost its importance since almost all members of the United Nations are also members of the specialized agencies.8/

85. The Inspectors, therefore, recommend that in order to strengthen the common system, the General Assembly and ECOSOC should more frequently draw the attention of Member States to the advantages of taking a consistent position in the governing bodies of the United Nations family of organizations as an important coordination element. If the situation warrants, ECOSOC may also use its powers under Article 63, point 2, of the Charter of the United Nations to make specific recommendations to the Member States reminding them of the need for a unitary and coherent position in all intergovernmental organs.

86. There are instances where the General Assembly itself did not hesitate to use its powers to press for coherent positions of Member States in the legislative organs in defence of the common system. As late as 1978, the Assembly, in resolution 33/119, called on the competent authorities of the specialized agencies not to take any measure incompatible with the common system of salaries, allowances and conditions of service. The Assembly also drew the attention of Member States to the need for their representatives in the governing bodies of the specialized agencies not to take positions which contradict those adopted by them in United Nations central intergovernmental bodies.

87. The often-repeated desire of Member States to strengthen the coherence of the common system will materialize only if their representatives, individually and collectively, adopt a unitary position and carry it through in the various parts of the United Nations system. A more coherent and homogeneous position on the part of Member States of the United Nations and member States of ITU would have prevented the original payment of special post allowances in ITU as well as its

---

8/ As of July 1993, there are 184 Member States in the United Nations.

continuation, not withstanding the General Assembly resolution which had been adopted by consensus.

G. Involvement and leadership of intergovernmental organs responsible for coordination of the common system

88. The Inspectors are familiar with past and current efforts aimed at revitalizing the Economic and Social Council, which also embraces its role in system-wide coordination. The functioning of the common system will certainly benefit from that new role and the greater involvement of the Council in selective review of questions of coordination and of the functioning of the relationship agreements. The Inspectors recommend that the practice of periodic discussions of overall issues of system-wide coordination at Joint Meetings of CPC and ACC be continued. The last one, which took place in 1990, generated a noticeably frank and deep discussion between executive heads of the specialized agencies and Member States and formulated a set of conclusions and recommendations which are still valid (see E/1990/123).

89. It is also the view of the Inspectors that active involvement of the General Assembly, its Fifth Committee and ICSC in questions of the common system of salaries and conditions of service is the main reason why, despite known difficulties, it is one area of coordination which functions relatively satisfactorily.

H. Partial or overall revision of the relationship agreements - pros and cons

90. Can the common system be strengthened and made effective through the revision of the relationship agreements only? In this regard, the Inspectors have indicated a number of measures which do not require the revision of the agreements. The present deficiency and lack of uniformity in the relationship agreements with respect to the sections on personnel arrangements are not, per-se, a sufficient justification for the revision of the agreements. Thus, if justification to revise the agreements is not to be found in the domain of the common system alone it does not, however, mean that legal regulations are totally out of place. If there are further cases of the common system being breached, the possibility of a solution by means of supplementary agreements needs to be borne in mind (as foreseen in the main relationship agreements). Such a measure would appear more reasonable than to reopen the relationship agreements solely for the purpose of revising personnel arrangements. Thus, the so-called ad hoc partial revision is not really likely to happen in any event, taking into account that the procedure for revision requires a great deal of time and preparatory work.

91. As for the legal grounds for revising the agreements, there are a number of sources who advocate this, for example: "Since the adoption of the first relationship agreements, it has transpired that the agreements are in some respects 'outdated' (see E/5524, p.3). The reasons are manifold: among them figure prominently the omission of any machinery for coordination in the field of operational activities in favour of developing countries, the shift of activities from headquarters to regional and country levels, and the emergence of extrabudgetary funds."[9/]

9/ Encyclopedia of Public International Law, R. Bernhardt, ed. (Amsterdam, New York, Oxford), 1981, p. 365.

Some of these elements are, however, included in the agreements concluded subsequently with WIPO, IFAD and UNIDO.

92. It is a fact that relationship agreements are in many respects out of date, especially because so many additional elements and practices have developed within the system over the years, as a result of actions by the General Assembly and ECOSOC and the regulatory functions of ICSC, as well as the spontaneous development of cooperation, particularly through the secretariats. Despite these developments Martin Hill warns that "it would probably be better to avoid the formal revision procedure which would be likely to produce a maximum of resistance and a minimum of agreement".10/

93. It might be recalled briefly here that attempts had been made in the past to review and revise the agreements:

(a) As early as 1949, the United Nations Secretary-General had said that the relationship agreements ".....contain some superfluous material, some gaps" and "in some respects failed....to achieve the results expected of them". 11/

(b) The Economic and Social Council, in its resolution 1768 (LIV) of 18 May 1973, on the rationalization of the work of the Council, called for a review of the relationship agreements with a view, inter-alia, "to strengthening the coherence of the system".

(c) In response to the above-mentioned resolution, the Secretary-General, besides restating the view quoted earlier, added that "in some respect these agreements are also outdated." (see E/5524/Add.3, para. 3). He submitted to the fifty-seventh session of the Council three sets of documents:

(i) A descriptive and analytical report on the relationship between the United Nations and the specialized agencies and the IAEA (E/5524 and Add. 1-4, Add.4/Corr.1 and Add.5).

(ii) Views of the executive heads of the agencies, IAEA and GATT on the matter (E/5476 and Add.1-3, Add.3/Corr.1 and Add.4-13).

(iii) A UNITAR study by Martin Hill entitled "Towards greater order, coherence and coordination in the United Nations system" (E/5491).

(d) ECOSOC in its resolution 1906 (LVII) of 2 August 1974, referred all the submitted documents to an inter-sessional meeting of the Policy and Programme Co-ordination Committee and requested it ".....to review in a thorough manner the agreements....and

---

10/ Martin Hill, op. cit., p. 121. See also "Towards greater coherence and coordination in the United Nations system", (E/5491).

11/ See Official Records of the Economic and Social Council, Ninth Session, Supplement No.17 Chapter VI, p.118.

to recommend to the Council such modifications and additional provisions as may be necessary in existing agreements."

(e) The Policy and Programme Coordination Committee was unable, however, to complete the task assigned to it. The Committee's interim report (E/5633), in March 1975, reflected many shades of opinion among Member States and secretariats on the rationale for the revision of the relationship agreements, their role in the coordination process, and on the system-wide coordination in general.

(f) The Council, in its decision 153/LX of 14 May 1976, decided to transmit to the Ad Hoc Committee on the Restructuring of the Economic and Social Sectors of the United Nations System all the above-mentioned documents. As previously indicated, one of the recommendations of the Ad Hoc Committee, endorsed by the General Assembly in its resolution 32/197 of 20 December 1977, contains a reference to the Council's review of the relationship agreements, stressing that it should ensure full and prompt implementation of recommendations on coordination. Due to the then existing differences of position of its members, the Council was only able to agree that it would review the implementation of the relationship agreements (see decision 1979/68 of 3 August 1979). No further action on the revision of the relationship agreements followed.

94. Keeping in mind these past efforts to review the relationship agreements, as well as the pros and cons of retaining their present content, the Inspectors would like to stress the point that any decision by the parties to the relationship agreements on their eventual revision (which require taking into account both political and substantive considerations) should be properly informed and should be taken after the evaluation of the implementation of existing texts has been completed, and only at the end or as a result of thorough - individual and collective - consultations between the United Nations and the specialized agencies, aimed at securing higher than present levels of coherence and uniformity of the new, revised agreements.

VIII. THE GOALS, OBJECTIVES AND BENEFITS OF COORDINATION OF THE UNITED NATIONS SYSTEM IN GENERAL, AND OF THE COMMON SYSTEM OF SALARIES, ALLOWANCES AND CONDITIONS OF SERVICE IN PARTICULAR

95. Throughout the preparation of the present report, the Inspectors kept in mind both the mandate given to JIU by the relevant General Assembly resolution, as well as the fact that all efforts at reviewing and strengthening the common system of salaries is part and parcel of the ongoing attempts to secure overall system-wide coordination.

96. Those broader aspects of the issue under consideration are, perhaps, of more direct interest and relevance to the functions of ECOSOC as the principal organ entrusted under the Charter of the United Nations with responsibilities for coordination.

97. Moreover, ECOSOC as a "custodian" of the relationship agreements is interested in the relations between measures to strengthen the common system of salaries and other ways and means which could lead to the better functioning of the agreements in general.

98. The stated goals of the relationship agreements with regard to personnel arrangements are the avoidance of certain negative situations, such as serious discrepancies (or unjustified differences) in terms and conditions of employment and competition in recruitment of personnel. On the positive side, the agreements attempt to facilitate interchange of personnel in order to obtain the maximum benefit from their services. The statute of ICSC, which constitutes the welcome development of the personnel arrangements within the relationship agreements, aims at developing a single, unified international civil service through the application of common personnel standards, methods and arrangements.

99. Almost 20 years after the Commission's creation, this principle of a single, unified civil service is still a distant goal. However, a common system of salaries, allowances and conditions of service does govern more than 60,000 staff members of the United Nations system belonging to very diversified occupational groups. Despite some of its critics, the common system is dynamic and innovative in adjusting to the changing international context. Member States and staff have benefited from its existence, and both should therefore be involved in the strengthening of the common system.

100. The foregoing reflections and conclusions on the ways and means of strengthening the common system of salaries, allowances and conditions of service invite deeper reflection on the whole issue of system-wide coordination. Can it be enhanced significantly through revision of the relationship agreements? This question is addressed in the preceding paragraphs.

101. It could be argued, on the one hand, that revised relationship agreements might not by themselves offer a panacea for overcoming existing impediments to system-wide coordination and, on the other hand, that a revision of the agreements - as part of broad measures of structural reforms of the United Nations system (should such a political decision be envisaged) - could present an opportunity for streamlining and modernizing such coordination, understood as a clearer division of responsibilities and a more focused direction of resources to agreed priority activities in order to maximize results.

102 At the intergovernmental level, much is expected of the revitalized ECOSOC and of its greater involvement in matters of coordination, both in terms of allotment of time of its meetings and the preparatory work by its secretariat and subsidiary bodies, CPC in particular. There is evidence, including the very decision to initiate a discussion of the relationship agreements, that the Council is determined to discharge its coordination functions under the Charter with renewed vigour.

103. To meet the needs of specialized and technical advice and preparatory work on coordination, the Inspectors suggest the following: either the Council entrusts CPC with the task of formulating drafts of specific resolutions and decisions on coordination, or creates an inter-sessional committee on matters of coordination. The first option requires either substantial redesigning of CPC's agenda to accommodate these expanded functions (which is the option preferred by the Inspectors), or the extension of its session. The advantage of the second option is that it can be more economical (meetings of the Inter-sessional Committee could be accommodated in such periods of time so as to use spare conference services).

104. Another possibility which could consist of dedicating a portion of the High-Level Segment of ECOSOC sessions to the discussion of system-wide coordination, aimed at reaching a common perception of coordination questions, which are often viewed differently by Member States and Secretariats who have shared responsibilities in this area (see E/1990/123, para. 19), and of a common understanding of the resources needed to allow for the most efficient use of institutional and human potential accumulated in the United Nations system of organizations.